

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
MAY 18, 2010

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on May 18, 2010, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall.

County Administrator Dean Cox was excused.

The Spectrum was represented by Brian Ahern at the meeting.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

Chairman Eardley recognized a group of Boy Scouts in the audience and asked them to introduce themselves. Representatives from Troops 417 (Kendrik Hansen, Konner Aitken, James Eardley, Barry Snow, and Terry Black) and 486 (Jacob Rager, Ryan McFadden, Ian McFadden, and Alex Kent) attended the meeting, as well as their Scoutmasters, Cameron Hansen and Doug Solstad, respectively.

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of Auditor Approved Claims for Payment for May 5, 2010 to May 18, 2010
- Consideration of Regular Commission Meeting Minutes of May 4, 2010
- Consideration of Administrative Adjustments: Personal Property
- Consideration of Applications for Settlement or Deferral of Property Taxes: Angela Bair/Tom Harward, 297674; Nicholas & Helen Bavaro, 449457; Harbor Real Asset Fund, 580871; L & E Enterprises, 71301; Becky Lees/Marion Terry, 154461; Becky Lees/Marion Terry, 42393; Stephen Moody, 64736; Carol/Chris Sullivan, 227804
- Consideration of Applications for Property Tax Abatements: Nancy Blackmer, S/N SC-SCH-K-31; Penni Leavitt, S/N H-354; Mark Weaver, S/N T-59-A-1-A; Barbara Waagen, S/N H-RORE; Reid Beers, S/N SG-SM-2-145; and Renee Kimball, S/N H-SCAN-2-A-17

- Acknowledgment of Publishing, Ordinance No. 2010-994-O on May 8, 2010

Actions of the Washington County Planning Commission: 5-18-10

Conditional Use Permit Extension: Review extension to operate an aggregate processing plant and crushing operation in an existing grandfathered pit containing 22.39 acres, a portion of Section 32, T39S, R16W, SLB&M, generally located east of Veyo. Sunroc Corp/Russell Leslie and Dana Truman, applicants.

This is the second (2nd) extension review on a use within the A-10 zone under a grandfather clause, whereas the cinder pit was in existence since the zoning ordinance was adopted in 1972. The applicant has purchased the pit (22 acres) and is operating an aggregate processing plant or a crushing operation on site (County Code 10-18-2 Permit required (amended 2008). Previously, the site plan showed the location of roads, stock piles, equipment and overhead power lines. If there are to be any employees on site, the applicant needs to provide sanitary facilities. The applicant will be invited to attend the meeting for an update on progress. Photos were shown of the improvements to the existing pit, gating, and fencing. *The planning commission unanimously recommended approval of the Conditional Use Permit for another year.*

Conditional Use Permit Extension: Review extension to build a Fire Station/Office, adding another station in the Diamond Valley area, with the building being located at the southwesterly end of the valley, Lot D, Diamond Valley Acres, Phase 2, Plat A. Derald Terry, agent.

This review is for the second (2nd) extension; whereas the construction has been completed, staff recommends approving this on a permanent basis. The Fire Station for the SWSSD was located within an existing water company building. As previously reviewed, these types of uses are conditionally approved within the RE-40.0 zone (County Code 10-8D-3). In expanding the facility, the fire district built the structure southwest of the existing location on a platted parcel provided for community use, Track D in Diamond Valley Acres. Photos were taken of the completed fire station. *The planning commission unanimously recommended approval of the Conditional Use Permit on a permanent basis.*

Conditional Use Permit: Request permission to locate a temporary batch plant and job site trailers within the OSC-20 zone, for the expansion of the Red Butte Substation on Forest Service land near Central. Schmidt Construction, applicant.

Photos were shown in Planning Commission of the temporary batch plant that has been located on site to facilitate a job for the Pacific Corp (Rocky Mountain Power) Red Butte Subdivision near Central. Gravel will be hauled to this site from their pit in Iron County or they will utilize product from the Carl Bowler pit near Veyo if it does not have any

clay. They have approvals from the Forest Service on this project, and the commission will need to review this use conditionally within the OSC zone as being a use similar to the conditional uses and in harmony with the character and intent of the zone (10-6A-3 County Code). The applicant has submitted permits from the Forest Service, Air Quality Service, and OSHA Certification and indicated their operating hours were from 7 a.m. to 5 p.m., Monday thru Thursday. The site will have a couple of job site trailers, two porta-potties, and the batch plant outside the perimeter of the substation site.

Facts/Findings:

- This substation allows the applicant to comply with federal mandate
- The use is temporary to comply with the federal government
- The conditional use is in harmony with the intent of the zone

The Planning Commission voted unanimously to recommend approval of the temporary batch plant and job site trailers, within the OSC zone on forest service land; applicant Schmidt Construction has stated their hours of operation, based on the facts and findings, for a period of one (1) year.

MOTION: Motion by Commissioner Drake to Adopt the Consent Agenda, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT / CORY PULSIPHER

Washington County Sheriff's Office Lt. Cory Pulsipher reported on recent activity by the Washington County Search and Rescue (SAR) team. There have been several call-outs since his last report: a medical assist on the Hurricane Rim Trail; individuals attempting to cross the Danish Ranch Road who became stranded; a lost ATV rider near Slaughter Creek; an assist to Mohave County on a missing hunter near the Arizona Strip; an injured mountain biker on the Bear Poppy Trail; and an injured ATV rider on the sand dunes.

A total of thirty (30) members responded, with seventy-six (76) man-hours donated, including helicopter service.

PURCHASE REQUESTS

Washington County Budget Officer Jerry Rasmussen presented the following purchase requests:

- Regional Park, lighting replacement \$ 30,411.70
- Building Maintenance Dept., air conditioning units \$ 87,636.00

The above purchases were paid for with energy stimulus grant money.

MOTION: Motion by Commissioner Drake to Approve the Purchase Requests as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION OF BUSINESS PATRIOT AWARDS TO ALSCO, INC., IVINS CITY, LA QUINTA INN AND SUITES, JOANN STORES, INC., ORGILL, AND WILKINSON ELECTRIC, INC.

Representatives from AlSCO, Inc., Ivins City, and La Quinta Inn and Suites accepted their Business Patriot awards from Commissioner Drake.

CONSIDERATION OF REQUEST BY SOUTHWEST BEHAVIORAL HEALTH CENTER: 2010 UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND OTHER DRUG DEPENDENCY SCHOLARSHIPS / NEAL SMITH

Neal Smith, Unit Director of Liability & Resource Management for the Southwest Behavioral Health Center requested that the Commission continue its annual tradition of contributing towards scholarships for 2010 to the University of Utah School on Alcoholism and Other Drug Dependencies. The County pays for two (2) scholarships and is able to send four (4) worthy individuals in the community to the University of Utah.

MOTION: Motion by Commissioner Gardner to Approve the Funding Request by Southwest Behavioral Health Center for Two (2) Scholarships to the University of Utah School on Alcoholism and Other Drug Dependencies. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1447, A RESOLUTION APPOINTING A BOARD MEMBER TO THE CAREER SERVICE COUNCIL

With the departure of Bart Bailey, who has relocated out of state, it is necessary to appoint a replacement on the Career Service Council. Mr. Gary Kermott has indicated his willingness to serve on that Board.

MOTION: Motion by Commissioner Gardner to Approve Resolution No. R-2010-1447, A Resolution Appointing Gary Kermott To The Career

Service Council for a term to expire June 30, 2011. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1448, A RESOLUTION APPROVING THE EXECUTION OF AN AMENDMENT #2 OF THE AGREEMENT BETWEEN THE OFFICE OR UNIT OF THE UTAH DEPARTMENT OF HUMAN SERVICES (DHS), DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH (DHS/DSAMH) AND WASHINGTON COUNTY (AMENDING THE DRUG COURT AGREEMENT)

Chairman Eardley said that this agreement provides funding for the Drug Court in Washington County, an organization that has been very beneficial to the County. Typically, there is a seventy percent (70%) recidivism rate. Drug Court, under the direction of Judge Shumate, has had nearly an eighty percent (80%) success rate in getting people off drugs and reducing the jail population.

MOTION: Motion by Commissioner Drake to Approve Resolution No. R-2010-1448, A Resolution Approving The Execution Of An Amendment #2 Of The Agreement Between The Office Or Unit Of The Utah Department Of Human Services (DHS), Division Of Substance Abuse And Mental Health (DHS/DSAMH) And Washington County (Amending The Drug Court Agreement). Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1449, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN JP EXCAVATING, INC., AND WASHINGTON COUNTY TO PERFORM DEMOLITION SERVICES TO PREPARE THE LAND OWNED BY WASHINGTON COUNTY FOR THE CONSTRUCTION OF THE WASHINGTON COUNTY JUSTICE CENTER

JP Excavating was the low bidder for this contract, which calls for the demolition of homes that occupy the land owned by the County that has been earmarked as the location of the new Washington County Justice Center. The cost of this service is approximately forty-two thousand, five hundred dollars (\$42,500.00).

MOTION: Motion by Commissioner Gardner to Approve Resolution No. R-2010-1449, A Resolution Approving The Execution Of An Agreement Between JP Excavating, Inc., And Washington County To Perform Demolition Services To Prepare The Land Owned By Washington County For The Construction Of The Washington County Justice

Center. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1450, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN A&E PLUMBING AND WASHINGTON COUNTY TO ACQUIRE PERMITS AND PROVIDE EQUIPMENT AND/OR LABOR TO REPAIR THE BOULEVARD BUILDING, THE ADMINISTRATION BUILDING, THE ROAD SHED, AND THE WEED SHED

This item covers plumbing improvements, such as water heaters, toilets, etc., for these County buildings. This resolution, along with the following two resolutions, arises out of the purchase orders considered at the beginning of the meeting, which are funded with grant money.

MOTION: Motion by Commissioner Gardner to Approve Resolution No. R-2010-1450, A Resolution Approving The Execution Of An Agreement Between A&E Plumbing And Washington County To Acquire Permits And Provide Equipment and/or Labor To Repair The Boulevard Building, The Administration Building, The Road Shed, And The Weed Shed. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1451, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN CROFTS AIR CONDITIONING AND WASHINGTON COUNTY TO ACQUIRE PERMITS AND PROVIDE EQUIPMENT AND/OR LABOR FOR INSTALLATION AND CHANGE-OUT OF HVAC UNITS

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1451, A Resolution Approving The Execution Of An Agreement Between Crofts Air Conditioning And Washington County To Acquire Permits And Provide Equipment and/or Labor For Installation And Change-Out Of HVAC Units. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1452, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN RICH ELECTRIC, INC. AND WASHINGTON COUNTY TO ACQUIRE PERMITS AND

**PROVIDE EQUIPMENT AND/OR LABOR FOR CHANGE OUT OF LIGHT
FIXTURES IN VARIOUS WASHINGTON COUNTY BUILDINGS**

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1452, A Resolution Approving The Execution Of An Agreement Between Rich Electric, Inc. and Washington County To Acquire Permits And Provide Equipment and/or Labor For Change Out Of Light Fixtures In Various Washington County Buildings. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request an Executive Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:37 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN